

#162 8/20/97 T. Gray



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert G. Pergolizzi et al.)

Serial No. 08,479,995 )

Filed: June 7, 1995 )

Title: ANALYTE DETECTION UTILIZING  
POLYNUCLEOTIDE SEQUENCES,  
COMPOSITION, PROCESS AND KIT )

New Group Art Unit: 1809

Former Group Art Unit 1807

Examiner: Ardin H. Marschel, Ph.D.

RECEIVED

DEC 30 1997

OFFICE OF PETITIONS  
A/C PATENTS

527 Madison Avenue, 9th Floor  
New York, New York 10022  
July 25, 1997

**FILED BY EXPRESS MAIL**

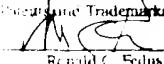
Honorable Commissioner of Patents and Trademarks  
The United States Patent and Trademark Office  
Washington, D.C. 20231

**AMENDMENT UNDER 37 C.F.R. §1.115**  
**IN RESPONSE TO THE MARCH 10, 1997 OFFICE ACTION**

Dear Sir:

Kindly enter this response (Amendment Under 37 C.F.R. §1.115) to the Office Action issued on March 10, 1997 in connection with the above-identified application. A response to the March 10, 1997 Office Action was originally due on June 10, 1997. This response is being accompanied by a Request for a Two-Month Extension of Time, and authorization for the fee therefor. Accordingly, with the extension request and fee authorization, this response is being timely filed.

Enz-11(C2)(D1)(C2)

| EXPRESS MAIL CERTIFICATE  |                    |
|---|--------------------|
| "Express Mail" Label No.  | EM449423898        |
| Deposit Date  | JULY 25, 1997      |
| I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Patent Office" service under 37 CFR 1.10 on the date of deposit above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231. |                    |
| <br>Ronald C. Fedus<br>SOP 12-1-867   | Date<br>JULY 25 97 |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Pergolizzi et al.  
Serial No.: 08/479,995                      Group Art Unit: 1807  
Filed: June 7, 1995                      Ex'r: Ardin Marschel, Ph.D  
Title: **ANALYTE DETECTION UTILIZING POLYNUCLEOTIDE  
SEQUENCES, COMPOSITION, PROCESS AND KIT**

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**COPY**

Honorable Commissioner of  
Patents and Trademark  
Washington, D.C. 20231                      **BOX NON-FEE AMENDMENT**

Sir:

Transmitted herewith is a Supplemental Communication to Applicants' April 12, 1996 Second Preliminary Amendment and their April 15, 1996 Supplemental Amendment thereto in the above-identified patent application.

The fee has been calculated as shown below:

|   | CLAIMS REMAINING<br>AFTER AMENDMENT |       | HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | PRESENT<br>EXTRA | RATE | ADDITIONAL<br>FEE |
|---|-------------------------------------|-------|---------------------------------------|------------------|------|-------------------|
| Total   | 537                                 | Minus | 533                                   | = 0              | x 22 | \$ 0              |
| Indep   | 21                                  | Minus | 21                                    | = 0              | x 80 | \$ 0              |
| ( ) First Presentation of Multiple Dependent Claims |                                     |       |                                       |                  |      | + 260 \$ 0        |
| TOTAL ADDITIONAL FEE -----                          |                                     |       |                                       |                  |      | \$ 0              |
| -----   |                                     |       |                                       |                  |      |                   |

( ) Charge Deposit Account No. 05-1135 in the amount of \$\_\_\_\_\_.


( ) A check in the amount of \$\_\_\_\_\_ is attached.

(X) The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 05-1135: any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims and any patent application processing fees under 37 C.F.R. §1.17.

Copies are being provided in triplicate.

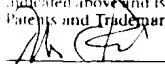
FEBRUARY 20, 1997  
Date

Respectfully submitted,

  
\_\_\_\_\_  
Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicant(s)

ENZO DIAGNOSTICS, INC.  
c/o Enzo Biochem, Inc.  
527 Madison Avenue (9th Floor)  
New York, New York 10022  
Tel. (212) 583-0100

Attorney's Docket No.: **Enz-11(C2)(D1)(C2)**

|   |                          |
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| <b>EXPRESS MAIL CERTIFICATE</b>   |                          |
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| Deposit Date  | FEBRUARY 20, 1997        |
| I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231 |                          |
| <br>Ronald C. Fedus<br>By _____   | <b>FEB 20 97</b><br>Date |